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Report of the Secretary-General on Ethiopia and Eritrea

I. Introduction

1. The present report is submitted pursuant to paragraph 12 of Security Council resolution 1320 (2000) of 15 September 2000 and provides an update on the peace process since my report dated 7 March 2005 (S/2005/142). The report also describes the activities of the United Nations Mission in Ethiopia and Eritrea (UNMEE) during the period under review. The current mandate of the Mission expires on 15 September 2005.

II. Status of the Temporary Security Zone and adjacent areas, and cooperation with the parties

2. Despite occasional incidents described later in the present report, the situation in the Temporary Security Zone and in areas adjacent to it remained generally calm and stable. The Ethiopian Armed Forces maintained the dispositions that I described in my last report, which they continue to characterize as purely defensive. Eritrea, on the other hand, continued to perceive the existing deployment by Ethiopia as a provocation. No major movement or redeployment of Eritrean troops has been observed, except for some rather limited training activities in areas close to the Temporary Security Zone. I once again appeal to the Government of Ethiopia to redeploy its troops away from the vicinity of the southern boundary of the Temporary Security Zone in the interest of restoring confidence to levels essential for sustaining stability in the border areas.

3. During the reporting period, the parties demonstrated a level of cooperation that enabled the UNMEE Force to carry out its mandated tasks of observing, monitoring and reporting on activities in the Temporary Security Zone and its adjacent areas. The Ethiopian military authorities provided UNMEE with details of their current positions. On their part, the Eritrean authorities demonstrated a comparable degree of transparency. On 3 and 10 March, they took the UNMEE Force Commander to see their operational locations in Sector East and Sector West, respectively, in an effort to substantiate the claim that no redeployment had been carried out in these areas, in response to any moves on the Ethiopian side.

4. The number of cross-border incidents has generally remained the same, most of them being connected to livestock rustling or straying across the boundary by individuals. Three shooting incidents between alleged Ethiopian armed men and

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Eritrean militia occurred on 9, 11 and 26 April, all in Sector West. These incidents resulted in the deaths of four Ethiopians and one Eritrean militiaman. UNMEE investigated these incidents and continued to monitor the situation closely.

5. Notwithstanding the foregoing incidents, the integrity of the Temporary Security Zone has generally been maintained. However, as noted in my previous report, the lack of progress in resolving the stalemate in the peace process means that the threat to military stability remains real, a situation which is not helped by the continuously hostile rhetoric between the parties.

Freedom of movement

6. As a result of the improved climate of cooperation between UNMEE and the parties, there has been a decline in the restrictions placed on the freedom of movement of UNMEE personnel in the performance of their mandated tasks. However, a few significant restrictions still remain. On the Eritrean side, UNMEE patrols within the areas adjacent to the Temporary Security Zone continued to encounter restrictions. Furthermore, the road from Asmara to Barentu, via Keren, remained closed to UNMEE traffic. At present, there is no indication whether the road will be reopened in the near future. I reiterate my appeal to the Government of Eritrea to review its decision and to re-open this important supply route and to remove restrictions on the movement of UNMEE patrols in the areas adjacent to the Temporary Security Zone. On the Ethiopian side, Mission personnel also met restrictions on their movements within Sub-Sector East. I also appeal to Ethiopia to lift all such restrictions, as they undermine the Mission's operational capability.

7. With regard to the issue of a direct flight route between Asmara and Addis Ababa, I regret to have to report again that UNMEE aircraft must still fly via a third country. Progress on the matter has been made on the Ethiopian side following the Government's agreement to the implementation of direct flights by UNMEE aircraft. However, a response from the Eritrean authorities regarding the issue is still outstanding. I reiterate my appeal to the Government of Eritrea to address the matter positively, with the urgency that it deserves.

8. On a related issue, there have been other impediments that UNMEE personnel had to contend with in Eritrea while performing their assigned tasks or in going about their lawful business. These ranged from unwarranted arrests and detention of UNMEE personnel to recent restrictions imposed on the UNMEE military police contingent within the city of Asmara. Such actions contravene the privileges and immunities accorded to staff of the United Nations in accordance with the provisions of the United Nations Charter, the 1946 Convention on the Privileges and Immunities of the United Nations, as well as the model Status of Forces Agreement in force between the United Nations and the Government of Eritrea. My Special Representative will continue to request the Government of Eritrea to respect the privileges and immunities of Mission staff so that they can execute their duties.

Military Coordination Commission

9. Since my last report, the Military Coordination Commission held its 29th and 30th meetings in Nairobi, on 15 March and 11 May 2005, respectively. On both occasions, the two parties welcomed the extension of the UNMEE mandate to 15 September 2005. During the meetings, the delegates discussed the prevailing military situation in a cordial atmosphere. The meetings also served as a forum for

frank exchanges on issues such as cross-border incidents and restrictions on the freedom of movement of UNMEE personnel. Both sides expressed the willingness to cooperate fully with UNMEE in the search for solutions to those issues and welcomed the ongoing meetings of the Military Coordination Commission at the sector level.

Status of the Mission and related issues

10. As at 9 May 2005, the total strength of the UNMEE military component stood at 3,329, comprising 3,031 troops, 84 headquarters staff and 214 military observers (see annex II).

11. In accordance with Security Council resolution 1560 (2004) of 14 September 2004, the adjustment of the Mission and the streamlining of its operations commenced in December 2004 and were completed at the end of January 2005. The Mission initially assessed that the new concept of operations worked well and the mandated tasks were being fulfilled. The recent redeployment of troops of the Ethiopian Armed Forces closer to the southern boundary of the Temporary Security Zone, accompanied by an increase in tension in the area, have generated a need for greater surveillance and observation along the border, which UNMEE is addressing within existing resources.

III. Boundary Commission

12. In its seventeenth report, contained in annex I, the Eritrea-Ethiopia Boundary Commission has indicated that in accordance with the schedule notified in paragraph 32 of its sixteenth report, it has suspended its activities in the area. There has, accordingly, been no further demarcation activity.

IV. Ethiopian national and regional elections

13. Ethiopia's general elections were held on 15 May and the electoral process was described as generally stable and peaceful throughout the country. About 25 million voters participated in the ballot. More than 300 foreign observers, including the African Union, the European Union and the Carter Centre, monitored the electoral process, while over 800 accredited national and international journalists covered the electoral process.

14. Soon after the vote, protests of irregularities were lodged by opposition parties. The final results of the elections could not be determined until these were investigated and the delay in announcing the results was accompanied by some demonstrations. As I observed in my statement of 8 June, I condemn the violence that resulted in the shooting and killing of a number of demonstrators by security forces and I call on all parties for calm. It is imperative for the stability of the country that the Ethiopian Government and the opposition leaders do everything possible to resolve their differences through dialogue and legal means. In this connection, the efforts of the National Electoral Board of Ethiopia to investigate the allegations of electoral irregularities, with the participation of all relevant parties, should be fully supported.

15. In this regard, I welcome the 10 June joint declaration by the governing Ethiopian People's Revolutionary Democratic Front coalition and the main opposition parties, the Coalition for Unity and Democracy and the United Ethiopian Democratic Forces, reaffirming their commitment to the successful and peaceful conclusion of the electoral process, in a manner that fully respects the wishes of the people, the rule of law and the constitutional processes of the country.

V. Mine action

16. I am concerned that during the period March through May 2005, there were eight reported mine or unexploded ordnance incidents in the Temporary Security Zone and in its adjacent areas. One incident occurred in Sector Centre and seven in Sector West, in which one person was killed and eight persons were injured. This ongoing threat affects all who live and work in the area and hinders the return to normalcy for the people of the two countries. Four incidents of newly laid mines on roads occurred in the adjacent areas, in Sector West, on the Ethiopian side during a four-week period from the end of March through late April 2005. However, as there have been no further such occurrences since the end of April 2005, it is considered that this may have been a series of localized incidents over a limited period. As such, it does not appear to constitute a general return to widespread new mine-laying throughout Sector West, as had been experienced in the past.

17. The UNMEE Mine Action Coordination Centre continued to monitor closely the landmine and unexploded ordnance threat in all sectors. On 10 May, it issued a revised mine and unexploded ordnance threat assessment for the Mission area. It also continued to provide the necessary mine action support to the UNMEE Force and the military observers in the Temporary Security Zone.

18. During the period under review, the Force demining assets, together with the commercial contractors for route clearance and integrated demining operations, destroyed eight mines and 704 items of unexploded ordnance. It also cleared 1,385,156 square metres of land and 457 kilometres of road.

19. The Kenyan deminers of the Force continued to train and work with the commercial contractors to implement an integrated approach to demining operations inside the Temporary Security Zone. The training and operational phases progressed well, with increased productivity. The Bangladeshi demining contingent rotated during the reporting period and the newly inducted team commenced operations in the Shilalo region of Sector West.

20. The UNMEE Mine Action Coordination Centre's Mine Risk Education field teams focused their outreach activities on the recently returned internally displaced persons in Sector West, in accordance with the priorities established in collaboration with the Eritrean authorities. In total, the teams provided mine risk education to 6,890 persons.

VI. Humanitarian developments

21. In Eritrea, the humanitarian situation continued to deteriorate. For the fifth consecutive year, rain shortfalls resulted in crop failure and poor livestock production. This state of affairs, combined with the residual effects of war, the

underperformance of the economy and the loss of assets and coping mechanisms, has further exacerbated the situation of vulnerable populations. The continued mobilization also impedes the country's capacity to engage fully in agricultural and other recovery activities. Furthermore, the dry spell poses a threat to the cultivation of long-cycle crops and the availability of water for both people and livestock in many regions.

22. Inadequate funding of the 2005 Consolidated Appeal Process forced humanitarian agencies to reduce the targeted number of persons receiving food assistance from 2.3 million to 1.2 million and the standard food ration by 40 per cent. This reduction in the standard food ration has already contributed to the high malnutrition rates in parts of the country and the shortage of therapeutic and supplementary food has prevented an adequate response to the increasing number of malnourished children and women.

23. Furthermore, some 19,000 internally displaced persons who recently returned to their villages of origin or were resettled, together with the remaining 51,000 internally displaced persons and some 120,000 returnees from the Sudan, are still completely dependent on relief or reintegration assistance. Under the joint programming, the plan, subject to the availability of funds, is to return some 10,000 more displaced persons to their homes.

24. Current food stocks of 74,000 metric tonnes are not likely to last beyond July 2005. I appeal to the donor community to respond with a sense of urgency to the Consolidated Appeal for Eritrea in order to avert a rapid deterioration of the humanitarian situation in the country.

25. In Ethiopia, signs of a deteriorating food security situation, including acute malnutrition rates in certain parts of the country, have led to an increase in the number of persons in need of humanitarian assistance from 3.1 million to 3.8 million. The rise in the number of vulnerable persons created an additional need of 66,198 metric tonnes in food aid, bringing the total food requirement to 464,385 metric tonnes. The food requirements are expected to increase even further, by at least another 160,000 metric tonnes, following planned assessments in June and July in the pastoral and Belg producing areas. Inadequate funding to the non-food requirements of $135 million remains a growing concern as the "food first" culture continues to dominate funding trends. Appropriate interventions in the areas of health, water and agriculture are urgently needed.

26. The Productive Safety Net Programme, the country's food security agenda targeting 5.2 million chronically food-insecure persons, commenced on 16 February, after a delay of six weeks. Food and cash began to reach the needy only as of March and April, respectively. The Programme is a commendable effort by the Government to address the root causes of food insecurity and should continue to be fully supported by the international community. However, the slow implementation of the Programme and resource transfers to beneficiaries has resulted in unmet needs and a deteriorating humanitarian situation marked by high malnutrition levels. The continued high prices of food could strain the already low purchasing power of the chronically food-insecure population. Urgent action is required to address the implications of the delay in the Programme.

27. Meanwhile, the Enhanced Outreach Strategy for Child Survival, which targets approximately 7.5 million children with nutrition screening, vitamin A supplements,

immunization and supplemental feeding, has already covered 172 of the 325 planned administrative districts. The programme was initiated at a time of growing concern over alarming malnutrition rates identified in numerous food-insecure areas of the country.

Quick-impact projects

28. UNMEE continued to implement quick-impact projects in the Temporary Security Zone and in its adjacent areas, in both Ethiopia and Eritrea, from funds received through the Trust Fund to Support the Peace Process in Ethiopia and Eritrea. The Governments of the Netherlands, Norway and Ireland have contributed generously to the Trust Fund. The total of all contributions since 2001 has risen to US$ 1.2 million. I urge donors to continue lending support to these important projects by making additional contributions to the Trust Fund.

HIV/AIDS activities

29. The UNMEE HIV/AIDS unit continued to conduct induction training for new arrivals to the Mission area. It also offered voluntary counselling and testing services to some of the newly inducted personnel and distributed HIV/AIDS educational materials and condoms to all sectors in the Mission area.

Sexual exploitation and abuse

30. On 19 April, UNMEE appointed a new focal point on matters relating to sexual exploitation and abuse, seconded by an alternate, to support the Mission's zero-tolerance policy. In this regard, a two-day training of trainers session on preventing and addressing sexual exploitation and abuse was delivered in May to participants drawn from all UNMEE peacekeeping contingents.

31. I am pleased to note that contingents have already started replicating this training to the benefit of their fellow soldiers. Information on this issue, as well as training packages, were translated into all the main languages relevant to the contingents. UNMEE plans to complete a cycle of basic training on matters relating to sexual exploitation and abuse for both the military and civilian components of the Mission by the end of July.

VII. Human rights

32. The Eritrean authorities recently lifted the restrictions imposed on the activities of certain religious groups in the country. I am encouraged by this development, which represents a step forward in ensuring respect for and protection of the freedom of worship of the citizenry.

33. Since my last report, UNMEE continued to monitor cross-border incidents, particularly cases of reported abductions and missing persons from both Ethiopia and Eritrea, and to seek to promote a peaceful resolution of incidents. In the shooting incidents described in paragraph 4 above, including those that occurred on 9 and 11 April 2005, in the border area of Om Hajer in Eritrea, a total of four Ethiopian nationals were reportedly killed. In another development, a shooting incident in Fawlina, Eritrea, cost the life of one member of the Eritrean militia. In

relation to the victims of the Om Hajer incidents, negotiations are ongoing under UNMEE auspices to secure the repatriation of the mortal remains to Ethiopia.

34. In order to provide for a standing arrangement to deal with such situations, should they arise in the future, UNMEE is approaching the parties with a proposal for a framework of standard procedures for the repatriation of the remains of each other's nationals to their respective countries. I urge both Ethiopia and Eritrea to give the idea their full support.

35. Recently, UNMEE conducted interviews with a group of 41 Ethiopian nationals, including minors, who had been repatriated by Eritrea under the auspices of the International Committee of the Red Cross in early March 2005. Those interviewed complained of acts of discrimination and/or ill treatment suffered at the hands of the Eritrean authorities.

36. In Eritrea, 13,000 persons returned to their places of origin in Shilalo. Six thousand others from villages located in territory currently under Ethiopian administration were also settled in the Shilalo area. Even though financial assistance, on a modest scale, was provided by the Eritrean authorities, the families still face critical shortages of food, water and grazing land for their livestock. Concerns were expressed that those 6,000 persons may face difficulties in view of potential competition with neighbouring communities for access to agricultural land and water resources.

37. Since my last report, UNMEE has initiated a number of technical cooperation activities designed to help build capacity in dealing with human rights issues. Following a two-phase needs assessment mission conducted in Ethiopia, the authorities and civil society organizations committed themselves to a variety of human rights training programmes targeting law enforcement officials, civil society organizations and national human rights institutions.

38. UNMEE is ready to carry out similar activities in Eritrea. However, while generally receptive to the idea, the authorities suggested an adjustment to the Mission's human rights mandate to provide for the expanded scope of authorized activities. I invite the Eritrean authorities to assist UNMEE in extending its technical cooperation in human rights work in Eritrea.

39. UNMEE continued to provide human rights training for judges, prosecutors, law enforcement and prison officials, as well as civil society in Ethiopia. In March and April, UNMEE conducted lectures during human rights training programmes jointly organized by the Ethiopian Ministry of Justice and the Norwegian Government in Dire Dawa and Axum. The success of this training generated additional requests from other partners. The UNMEE Human Rights Office could fulfil these requests meaningfully only if a dedicated budget and human resources were made available to it.

VIII. Public information

40. The Mission's public information activities continued through radio programmes, weekly press briefings, video productions and UNMEE newsletters. The growing sense of frustration in Eritrea over the stalemate in the peace process has been reflected in the commentaries and editorials in the country's media. The tone of the commentaries has, of late, become more strident and filled with war

rhetoric. Ethiopia's media outlets, however, were more preoccupied with preparations for and the conduct of the 15 May general elections.

41. The outreach centres in Addis Ababa, Mekelle and Adigrat, on the Ethiopian side, continued to receive a large number of visitors during the reporting period. The search for additional outlets for the distribution of United Nations and UNMEE information material produced positive results. UNMEE has reached an agreement with several institutions, including the Ethiopian Tours Association, the Distance Learning Department in the Ministry of Education and the umbrella non-governmental organization, Christian Relief and Development Association, which have all recently begun to distribute, through their member organizations, outreach centre material. In Eritrea, the outreach centres regrettably remained closed.

IX. Financial aspects

42. The General Assembly, by its resolution 58/302 of 18 June 2004, appropriated $198.3 million, equivalent to $16.5 million per month, for the maintenance of UNMEE for the financial period from 1 July 2004 to 30 June 2005. The report containing the budget for the period from 1 July 2005 to 30 June 2006, which amounts to $176,716,200, is currently before the General Assembly. As at 31 May 2005, unpaid assessed contributions to the special account for UNMEE amounted to $65.8 million. The total outstanding assessed contribution for all peacekeeping operations as at that date amounted to $2,027 million.

X. Observations

43. The fact that the integrity of the Temporary Security Zone continued to be safeguarded during the reporting period, despite the persistence of difficulties in the peace process and the other problems experienced on the ground, is indeed a significant accomplishment. In that connection, I wish to commend the parties for the commitment they continue to demonstrate to the Agreement on Cessation of Hostilities, signed in Algiers in June 2000.

44. I am, nevertheless, deeply concerned by the recent shooting incidents that occurred in the Temporary Security Zone. Such incidents could easily escalate into situations that would compromise military stability and roll back the peace process. I appeal to both parties to continue to exercise maximum restraint at all times and to guard against the re-occurrence of these deplorable incidents. In my last report to the Security Council, I called on Ethiopia to reverse the deployment of its armed forces in close proximity to the border areas and to return to its pre-16 December 2004 positions in order to help de-escalate the tension between the two countries. The reasons for that appeal remain valid and I urge the Government to accord the matter the urgent consideration it requires.

45. The ongoing stalemate in the peace process is not sustainable in the long term. I would like, therefore, to renew my recommendation to the Security Council to undertake a mission to Ethiopia and Eritrea in order to reassure the two countries of the Council's unflinching commitment to the peace process. I reiterate my earlier call on the witnesses to the Algiers Agreements, and especially on those States

having influence with the parties, to play a more concerted role with a view to assisting the parties in breaking the protracted and dangerous stalemate.

46. In my reports of September and December 2004, I encouraged the implementation of technical cooperation projects for Ethiopia and Eritrea in order to meet additional requirements in the area of human rights. The promotion and protection of human rights is fundamental to the realization of the vision of the Charter. I am encouraged by the progress made thus far with Ethiopia and appeal to Eritrea to cooperate in the implementation of technical cooperation programmes.

47. As members of the Security Council are aware, one unfortunate feature of efforts to resolve the Ethiopia-Eritrea conflict has been the absence of political dialogue between the parties. I need not underscore the importance of dialogue in any conflict as an essential ingredient in the achievement of lasting peace.

48. The attainment of durable peace between Ethiopia and Eritrea rests primarily with the two countries. Fulfilment of this responsibility is a debt that the parties owe to their peoples. The international community, in this regard, is ready to support the parties in their efforts to abide by their treaty obligations. Key among these obligations is to implement the decision of the Boundary Commission in order to bring to an end an important source of conflict between them.

49. Finally, I would like to express my gratitude to my Special Representative, Legwaila Joseph Legwaila, and to the UNMEE civilian and military personnel for their continued commitment and hard work. I would also like to thank all the Mission's partners, including the United Nations country teams and other humanitarian agencies, individual Member States, the African Union and other international organizations, for the support they continue to lend to the peace process.

Annex I

Eritrea-Ethiopia Boundary Commission

Seventeenth report on the work of the Commission

1. This is the seventeenth report of the Eritrea-Ethiopia Boundary Commission, covering the period from 1 March to 30 May 2005.

2. In accordance with the schedule notified in paragraph 32 of the Commission's sixteenth report, the Commission has now suspended all its activities in the area. The field offices have been closed; the Commission's staff contracts have been terminated; and its assets in the field have, for the time being, been placed in the custody of the United Nations Mission in Ethiopia and Eritrea. There has, accordingly, been no further demarcation activity.

3. The legal position and the practical possibilities of progress, remain as described in the Commission's sixteenth report.

4. The Commission will proceed with the demarcation if and when the parties can reach agreement on its resumption.

(*Signed*) Sir Elihu **Lauterpacht**
President of the Eritrea-Ethiopia Boundary Commission

30 May 2005

Annex II

United Nations Mission in Ethiopia and Eritrea: contributions as of 9 May 2005

Country	*Military observers*	*Troops*	*Staff*	*Total*	*National support elements*
Algeria	8			8	
Austria	2		1	3	
Bangladesh	7	168	6	181	
Benin					
Bosnia and Herzegovina	9			9	
Bulgaria	5		2	7	
China	7			7	
Croatia	7			7	
Czech Republic	2			2	
Denmark	4			4	
Finland	7		4	11	
France			1	1	
Gambia	4		2	6	
Germany	2			2	
Ghana	12		4	16	
Greece	3			3	
India	8	1 524	22	1 554	
Iran (Islamic Republic of)	3			3	
Italy		43	1	44	14
Jordan	7	949	11	967	
Kenya	11	314	10	335	
Malaysia	7		3	10	
Namibia	4		1	3	
Nepal	5			5	
Nigeria	5		3	8	
Norway	5			5	
Paraguay	3			3	
Peru	3			3	
Poland	6			6	
Romania	7			7	
Russian Federation	6			6	
South Africa	5		1	6	
Spain	3		1	4	
Sweden	5			5	
Switzerland	3			3	

Country	*Military observers*	*Troops*	*Staff*	*Total*	*National support elements*
Tanzania	8		2	10	
Tunisia	2		3	5	
Ukraine	7			7	
United States of America	7			7	
Uruguay	5	33	3	41	
Zambia	10		3	13	
Total	**214**	**3 031**	**84**	**3 329**	**14**